

**FORTY-NINTH LEGISLATURE
FIRST SESSION, 2009**

March 19, 2009

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE JUDICIARY COMMITTEE SUBSTITUTE
FOR SENATE BILL 649, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 4, line 7, after the period, insert "A person is eligible to petition for expungement one year after dismissal."
2. On page 5, line 1, strike "of" and insert in lieu thereof "after".
3. On page 5, line 1, after "one", insert "incident involving a".
4. On page 5, line 3, strike "and" and strike line 4 through "state".
5. On page 5, line 14, strike "two" and insert in lieu thereof "five".
6. On page 5, line 15, after the semicolon, insert "or".
7. On page 5, strike lines 16 through 18 in their entirety and renumber the succeeding paragraph accordingly.
8. On page 5, between lines 21 and 22, insert the following new subsection:

"C. The time for calculating eligibility for expungement begins the day a person's sentence, including probation, is completed."
9. Reletter the succeeding subsections accordingly.
10. On page 6, line 4, strike "any person" and insert in lieu thereof "the general public".
11. On page 6, between lines 17 and 18, insert the following new section:

**FORTY-NINTH LEGISLATURE
FIRST SESSION, 2009**

HJC/SB 649

Page 2

"Section 8. APPLICABILITY.--Nothing in the Criminal Record Expungement Act shall be construed to prohibit a law enforcement agency from maintaining and using criminal history information for any lawful purpose.".

12. Renumber the succeeding section accordingly.

Respectfully submitted,

Al Park, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 8 For 5 Against
Yes: 8
No: Bandy, Cook, Kintigh, Rehm, Vaughn
Excused: Alcon
Absent: None

.179048.1

SB0649JC1.wpd